

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

UNITED STATES OF AMERICA : CRIMINAL NO. 5:22-CR-00049 (GWC)
 :
v. :
 :
NATHAN CARMAN : JANUARY 17, 2023

**DEFENDANT NATHAN CARMAN'S
FIRST MOTION FOR BILL OF PARTICULARS**

Pursuant to Fed. R. Crim. P. 7(f), as well as the Fifth and Sixth Amendments to the U.S. Constitution, Defendant, Nathan Carman, respectfully moves for an order directing the Government to provide a bill of particulars as to Counts One through Six and Count Eight of the Indictment.

In order to eliminate any confusion, and to avoid any unfair surprise or prejudice at trial, Mr. Carman requests that the Court direct the Government to clarify the nature of the charges by providing a bill of particulars setting forth the following information:

1. The material misrepresentation contained in the "Petitioner's Third Set of Interrogatories" dated May 23, 2018, which provides the basis for Count I of the Indictment;
2. The material misrepresentation contained in the "material relating to the Windsor Police Department Investigation of Carman" dated July 27, 2018, which provides the basis for Count II of the Indictment;
3. The material misrepresentation contained in the "Exhibits for Petitioner's Request for Admission, Set #2" dated November 1, 2018, which provides the basis for Count III of the Indictment;

4. The material misrepresentation contained in “An email providing answers to Petitioner’s First Set of Interrogatories” dated February 13, 2018, which provides the basis for Count IV of the Indictment;
5. The material misrepresentation contained in “An email providing answers to Petitioner’s Third Set of Interrogatories: dated June 27, 2018, which provides the basis for Count V of the Indictment;
6. The material misrepresentation contained in “An email providing answers to Petitioner’s First Set of Requests for Admission” dated July 15, 2018, which provides the basis for Count VI of the Indictment; and
7. The specific date of, and the material misrepresentation contained in, “an email that attached [Mr. Carman’s] narrative about the sinking of the *Chicken Pox*, for the purposes of executing the scheme” dated “[o]n or about June 10, 2017,” and whether it is alleged that Mr. Carman “transmitted” the email or “caused to be transmitted” the email, which provides the basis for Count VIII of the Indictment.

A supporting memorandum of law is submitted herewith.

WHEREFORE, for the reasons set forth herein and in the accompanying memorandum of law, Defendant, Nathan Carman, respectfully requests that the Court grant his First Motion for Bill of Particulars.

Dated: January 17, 2023
Hartford, Connecticut

Respectfully submitted,

DEFENDANT
NATHAN CARMAN

By: /s/ David X. Sullivan

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CERTIFICATION

I hereby certify that on this date a copy of the foregoing motion was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system and by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

/s/ David X. Sullivan
David X. Sullivan (*Pro Hac Vice*)